

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS

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METTE ROSE and SOREN ROSE *
KJAER, parents and natural guardians *
of F.R.K., a minor, *

No. 16-465V

Petitioners,

Special Master Christian J. Moran

v.

Filed: July 16, 2024

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

* * * * *

Robert Joel Krakow, Law Office of Robert J. Krakow, P.C., New York, NY for
petitioners;

Ronalda Elnetta Kosh and Traci Patton, United States Dep't of Justice,
Washington, D.C., for respondent.

UNPUBLISHED DECISION AWARDING
ATTORNEYS' FEES AND COSTS¹

Pursuant to 42 U.S.C. § 300aa-15(e), petitioners have requested a total of \$102,219.91 in attorneys' fees and costs. The undersigned tentatively found that petitioners requested a reasonable amount and were entitled to the full amount requested. The undersigned allowed respondent an opportunity to comment. Respondent did not interpose any objections within the time permitted.

¹ The E-Government, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Petitioners' attorney, attorney staff, and expert have requested hourly rates that are consistent with the rates previously awarded. The number of hours is reasonable. Thus, the amount requested is reasonable.

Although petitioners are awarded the amount requested, a few items merit mentioning. Mr. Krakow appropriately split charges for his work in this case and a companion case involving a sister of the vaccinee. Mr. Krakow also billed at different rates, depending upon whether he was performing work requiring the skills of an attorney or work that could be performed by a paralegal. This conscientiousness enhances the bills Mr. Krakow has created.

On the other hand, the expert petitioners retained, Rick Fraunfelder, appears not to have created any invoices. Pet'r's Corrected Mot. at 39. Dr. Fraunfelder has charged only an initial retainer and the amount he charged is reasonable. However, if Dr. Fraunfelder were to seek compensation for services beyond an initial retainer, he must create invoices documenting his activities.

Petitioners are awarded \$102,219.91. This amount shall be made payable as a lump sum in the form of a check jointly payable to petitioners and petitioners' counsel, Robert Krakow.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.²

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing their right to seek review.